



Preliminary Ecological Appraisal

Land off High Hoyland Lane, High Hoyland

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The information which we have prepared and provided is true and has been prepared and provided in accordance with the CIEEM's Code of Professional Conduct. We confirm that the opinions expressed are our true and professional bona fide opinions. This report does not constitute legal advice.



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Summary

Purpose of report

This report is produced to present an initial assessment of a Site known as Land off High Hoyland Lane; to inform the Site's potential for development.

The report has been prepared to advise the client of potential ecological constraints and opportunities, in preparing an application for planning permission.

The report provides a sufficient baseline for the Site, and is suitable in its current form for submission to planning.

Methodology

The report is based on a Desk Study of designated wildlife sites and records of protected or notable species, and an extended Phase 1 Habitat Survey and Bat Roost Suitability Assessment, carried out in December 2017.

Findings Key-Points

The Site supports habitats of low ecological value, the presence of which will not pose any major constraint to development.

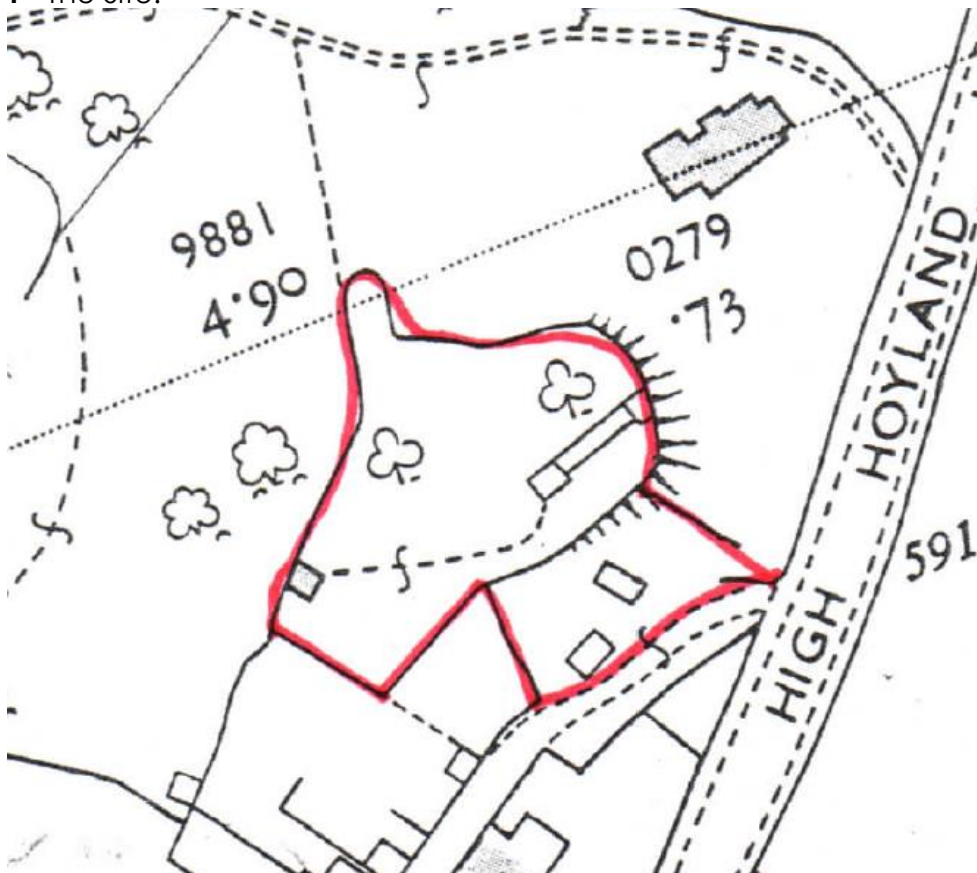
Introduction

1. Brooks Ecological Ltd was commissioned by Steven Warsop to carry out a Preliminary Ecological Appraisal of land off High Hoyland Lane, High Hoyland, Barnsley, South Yorkshire (SE269097).
2. This report is produced with reference to British Standard BS42020 'Biodiversity Code of Practice for Planning and Development' and the CIEEM (2013) Guidelines for Preliminary Ecological Appraisal.

Scope

3. The application site 'the Site' comprises an area of cleared land over two levels. It is defined in figure 1 below.
4. The assessment uses a 2km area of search around the Site for records of protected and notable species and locally or nationally designated wildlife sites.

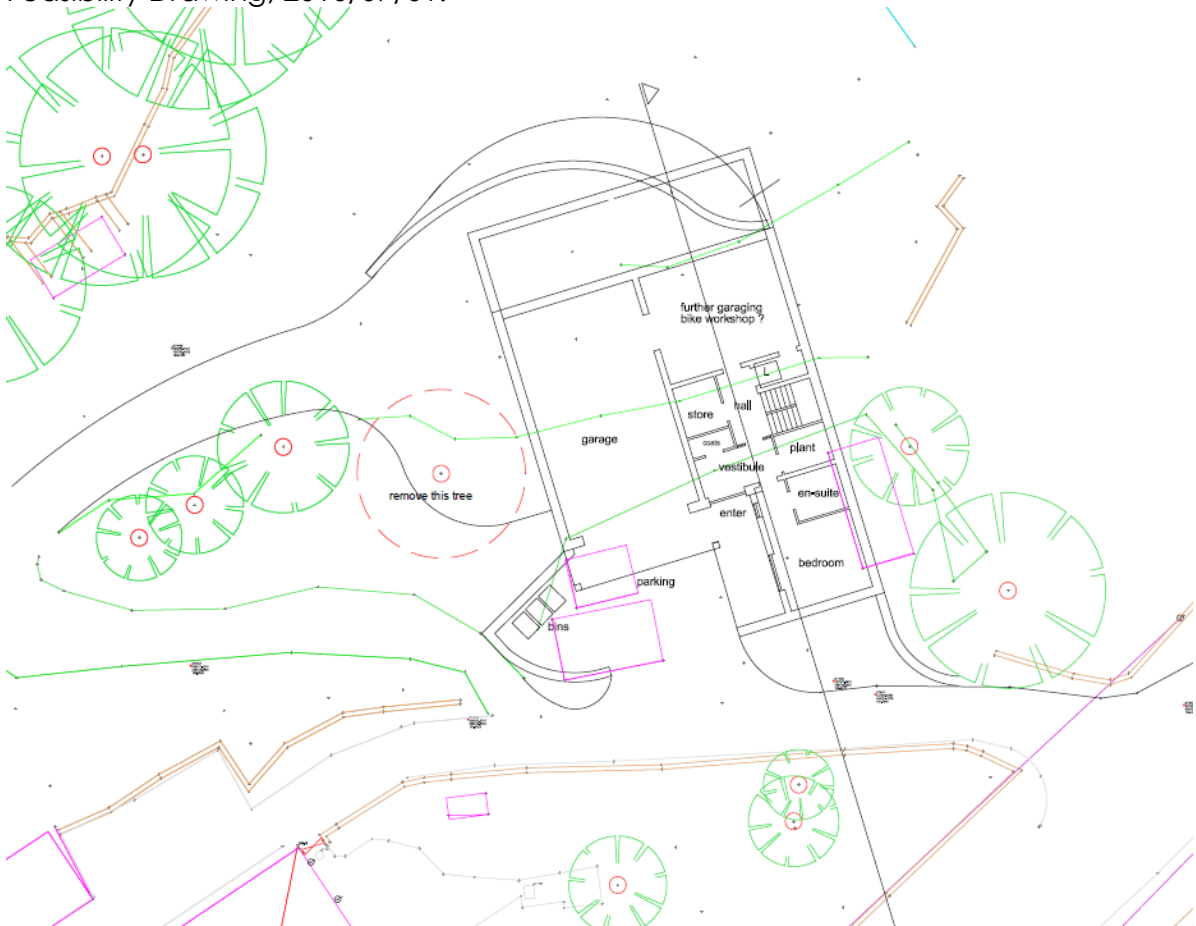
Figure 1 The Site.



Proposals

- Proposals for the Site look to build a residential property, with associated off-road parking and garden.

Figure 2 Proposed development taken from Peter Dimberline Chartered Architect, Feasibility Drawing, 2016/07/01.



Site context

- The Site is located on the southern edge of High Hoyland; a small village c.5 miles northwest of Barnsley. The Site is bounded to the south by an access road for Greenland Cottages, to the west by gardens of these cottages and to the east by a detached residential property and its associated gardens. A small area of mature garden / woodland adjoins the Site to the north, being the grounds of a property further north.

Wildlife corridors

7. No significant wildlife corridors are found in the surrounding landscape. Minor wildlife features are limited to various issues and sinks which form short water courses within the surrounding woodland blocks; none of which are linked to the Site.
8. All areas of higher value habitat identified in the figure below are classed as woodland, consisting of ancient, lowland mixed deciduous and wet woodland with ponds and streams noted throughout. A narrow stretch of woodland runs through the village of High Hoyland, part of which (included within the grounds of a neighbouring property) borders the Site to the north.

Figure 3 Analysis of wildlife corridors and higher value habitat in relation to the Site.



Water bodies

9. Two water bodies are found on mapping for within a 500m radius of the Site. The first, pond 1 is located c.250m to the east, within a large sloping arable field. Pond 2, is a small pond within a residential garden, 440m to the northeast.

Figure 4 Pond map.



Designated Sites

Statutory Designations

10. A search has been made to identify any nationally designated sites within a 2km radius of the Site, and for internationally designated sites within a 10km radius. The results are shown in the below table.

Table 1 Statutory Designated Sites

Site name	Distance from Site	Designation	Summary Interest
Denby Grange Colliery	3.3km northeast	Special Area of Conservation (SAC)	Waterbodies surrounded by replanted ancient woodland, and anthropogenic habitat associated with the previous mining activities. Supports a large population of great crested newt.

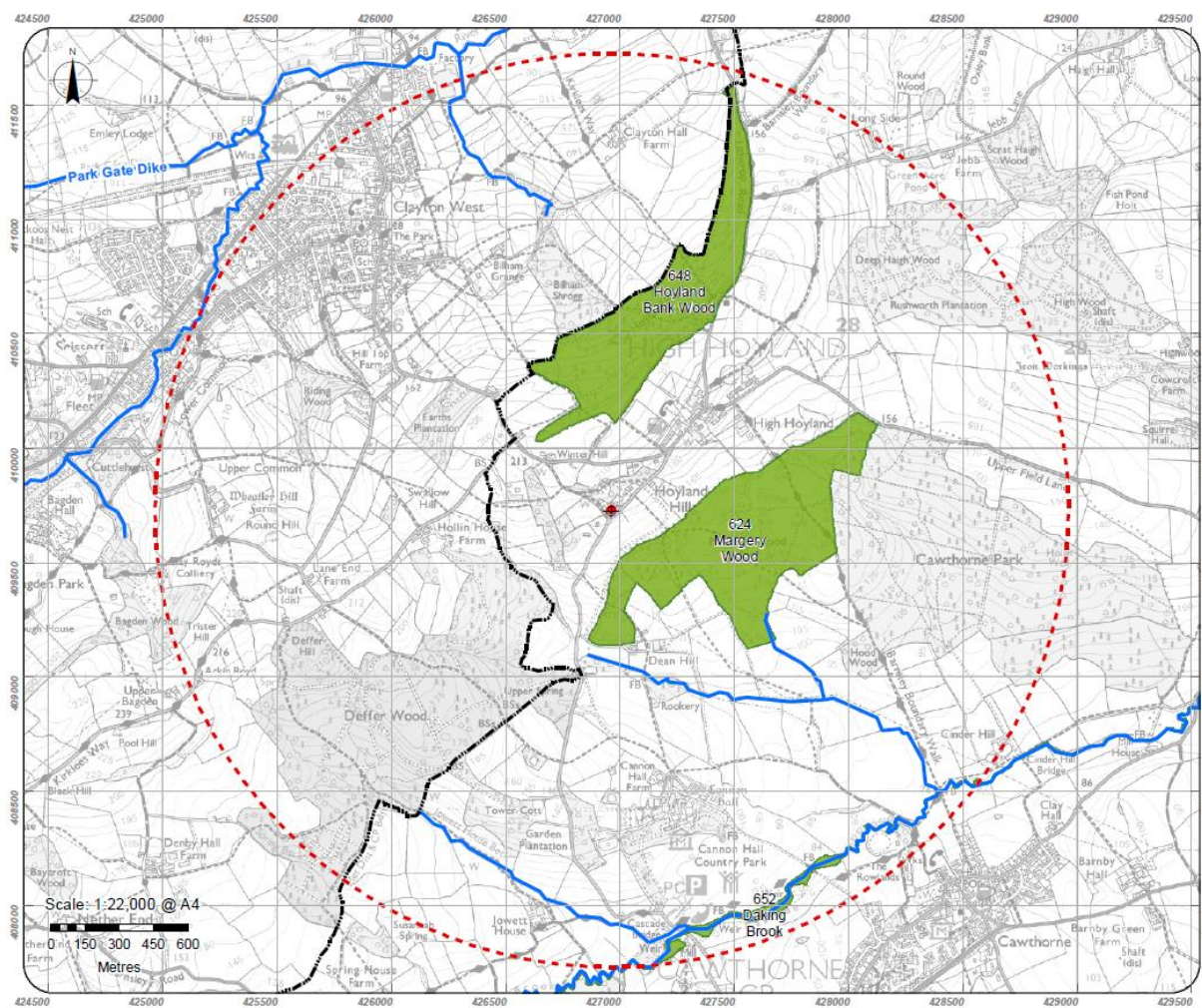
SSSI Impact Risk Zones (IRZs)

11. The Site lies within the IRZ for Denby Grange Colliery and Pye Flatts Meadows SSSI, but does not fall into one of the highlighted categories which requires consultation between the Local Planning Authority (LPA) and Natural England (NE). The development is of a scale and nature which is unlikely to impact on this SSSI.

Non-Statutory Designations

12. There are two locally designated sites within 2km of the Site, both designated as Barnsley Local Wildlife Sites (LWS):
- Margery Wood is c.200m to the southwest of the Site,
 - Hoyland Bank Wood is c.330m to the north of the Site.
13. Based on the distances involved, lack of any hydrological links, and the nature of the proposals, development here is considered very unlikely to impact on these two locally designated sites.

Figure 5 Locally designated sites provided by Sheffield Biological Records Centre.



Habitats

Method

14. The survey was carried out during December 2017¹ and followed Phase 1 habitat survey methodology (JNCC, 2010).

Limitations

15. The survey was carried out in December when many plant species have died back however the habitat type and likelihood of supporting notable species or communities could still be assessed at this time by the surveyor.
16. Sufficient time was afforded the surveyor to carry out the survey. The survey was not constrained by poor weather.

Results

17. The Site covers two levels, the upper section occupying an area c.4m higher, with an exposed rock face separating the two. The larger, upper section has been recently cleared, with the lower section currently used for storage / car parking.



Figure 6

View of the Site looking east.

¹ This Report has been prepared during December 2017 following a visit to the site in December 2017 and our findings are based on the conditions of the site that were reasonably visible and accessible at that date. We accept no liability for any areas that were not reasonably visible or accessible, nor for any subsequent alteration, variation or deviation from the site conditions which affect the conclusions set out in this report.

18. The following habitats were identified within the Site and on its immediate boundaries:

- Ruderal vegetation on cleared ground
- Boundaries
- Rock exposure
- Hardstanding

Ruderal vegetation on cleared ground

19. The upper section of the Site has been recently cleared, formerly being the garden of the neighbouring residential property. Now, this area is characterised by bare soil and earth bunds alongside piles of loose substrate taken from the rock face.
20. A range of ruderal species have colonised this area, dominantly foxglove (*Digitalis purpurea*). Other species noted include; nettle (*Urtica dioica*), feverfew (*Tanacetum parthenium*), herb robert (*Geranium robertianum*), ragwort (*Jacobaea vulgaris*), thistles (*Cirsium* spp.), dandelion (*Taraxacum officinalis*), sycamore (*Acer pseudoplatanus*) saplings, Yorkshire fog (*Holcus lanatus*) and false oat grass (*Arrhenatherum elatius*), alongside a range of common mosses.



Figure 7

Ruderal vegetation on recently cleared ground.

Boundary habitats

21. Along the boundaries of the Site are a mixture of young / semi- mature trees, small sections of hedgerow, scrub and areas of drystone wall. Species noted include;

sycamore, oak (*Quercus* spp.), ash (*Fraxinus excelsior*), holly (*Ilex aquifolium*), ivy (*Hedera helix*), *Rhododendron*, and bramble (*Rubus fruticosus*).



Figure 8

Trees / scrub section along eastern boundary.

Rock exposure

22. A short stretch of exposed gritstone rock face, roughly 4m in height, splits the Site across two levels. This consists of sections of rock, with the majority of cracks infilled with gravel or soil. The rock face has been subject to modification numerous times by the land owner.
23. The only vegetation present is that with the topmost section, all being the aforementioned ruderal species with occasional bracken (*Pteridium aquilinum*), which along with foxglove indicate localised acidic soils.



Figure 9

Exposed rock wall.

Hardstanding

24. Beneath the rock wall is a small area of gravel, currently used as a car parking area and for storage of materials. This area is devoid of any significant vegetation.

Building

25. A small single-storey outbuilding is noted within the Site's lower section. The building has stone walls and a new slate-tiled roof. The building is to be unimpacted by the proposals.

Off-site Habitats

Mature garden / woodland

26. The grounds of the neighbouring property adjoin the Site to the north, being managed mixed woodland / mature garden. Woodland species noted include oak, beech (*Fagus sylvatica*), sycamore and birch (*Betula* spp.), some of which overhang the Site boundary.



Figure 10

Mature garden / woodland, offsite to the north.

Fauna

Bats

27. Ninety records of bats have been returned, the vast majority of which originate from the grounds of Cannon Hall Country Park; over 1km south of the Site. No records of roosts have been returned in any close proximity to the Site.

Bat roost suitability assessment

28. The Site encompasses a vertical, exposed rock face, which has been recently modified by the land owner. The majority of gaps between the rock sections were shallow and blind, or had been filled with soil / loose substrate, presenting no features suitable for roosting bats. Based on the regular alteration of this rock face, and the lack of suitable features, the wall is thought to be of *negligible* suitability for roosting bats.
29. The one building on-Site; the stone outbuilding, is to be unimpacted by the proposals and no further bat survey of this structure is required.
30. No trees were identified on Site that are thought to provide any feature suitable for roosting bats.

Foraging / commuting

31. Given the Site's small size and simple nature of the habitats, which provide little structure for foraging and commuting, development of the Site is considered to present no significant impact on the local bat populations.

Amphibians

32. There are 15 records of common frog, common toad and smooth newt, and 14 records of great crested newt (GCN) in the 2km search radius. All but two of these records originate from various ponds within the Canon Hall estate; the closest of these is located 1.1km to the south of the Site. The final two records (both of GCN) are centred on an arable field 2km to the southeast.
33. No waterbodies suited to amphibian breeding were found on Site, with two found on mapping within a 500m radius- as detailed in figure 4. The closest of these is located c.250m to the east. Although this pond is within the accepted range that amphibians would be expected to disperse from a breeding pond, the pond is separated from Site by High Hoyland Lane and an open arable field.

34. It is therefore concluded highly unlikely that GCN, if present in this off-site pond, would occur within the application Site. As such, no further survey is considered necessary, and the risk of development impacting on this species is considered to be very low.

Birds

35. Whilst no evidence of nesting birds was identified during the survey, the Site does have limited potential to support common garden and farmland species during the nesting season (March to August inclusive). Precaution is therefore advised with regards to vegetation clearance required to facilitate development.

Badger

36. No evidence of badger activity was noted during the walkover survey, and as such, current likely absence can be reasonably concluded.

Invasive Species

37. Rhododendron was noted along the Site boundary. Whilst listed on Schedule 9 of the Wildlife and Countryside Act (1981) (as amended), this species is not considered to present a significant risk in this location and no further action is considered necessary.
38. No above ground evidence of any other species listed on Schedule 9 of the Wildlife and Countryside Act (1981) was found during the survey. However, as parts of the Site have been very recently made, we cannot vouch for whether the soils used or former ground covered are free from invasive seeds or below surface viable materials.

Conclusions and Recommendations

39. The habitats on Site are of low ecological value, and their loss to development is considered unlikely to be of ecological significance.
40. The Site is unlikely to support any rare or protected species.
41. Precaution is recommended in relation to nesting birds. The destruction of active nests is prohibited by law. Any clearance of the vegetation should be carried out outside the nesting period. Otherwise, a nesting bird survey will be required if it commences in the period March - August (inclusive). This would allow any active nests to be identified and protected.
42. Impacts on nearby wildlife sites would not be expected due to their distance and lack of functional linkage.

Ecological Enhancement

43. The requirement for development to make a positive contribution to biodiversity is clearly set out in guidance such as the NPPF and BS:42020 - beyond mitigating or compensating any potential impacts.
44. The following themes provide opportunities for the proposals to deliver such a contribution:
 - Enhancing the Site's boundaries will benefit the movement of wildlife, and would ensure the development had an ecological net gain. The boundaries could be enhanced through new tree / hedgerow planting using a range of native species, such as field maple, silver birch, guelder rose and common dogwood.
 - Useful wildlife habitat could be provided in the form of bat and bird boxes incorporated across the Site, either onto retained trees or integrated into the new build.

Appendices

1. Extended Phase 1 Habitat Plan
2. Explanatory Notes and Resources
3. Information on legislation / protection

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Appendix 1 – Extended Phase 1 Habitat Plan



-  Ruderal vegetation on cleared ground
-  Hedgrow / scrub
-  Exposed rock wall
-  Hardstanding
-  Building
-  Trees



Appendix 2 – Explanatory Notes and Resources Used

Site context

Aerial photographs published on commonly used websites were studied to place the site in its wider context and to look for ecological features that would not be evident on the ground during the walkover survey. This approach can be very useful in determining if a site is potentially a key part of a wider wildlife corridor or an important node of habitat in an otherwise ecologically poor landscape. It can also identify potentially important faunal habitat (in particular ponds) which could have a bearing on the ecology of the application site. Ponds may sometimes not be apparent on aerial photographs so we also refer to close detailed maps that identify all ponds issues and drains. We use Promap Street + scale maps for this purpose.

Designated Sites

A search of the MAGIC (Multi-Agency Geographic Information for the Countryside) website was undertaken. The MAGIC site is a Geographical Information System that contains all statutory (e.g. Sites of Special Scientific Interest [SSSI's]) as well as many non-statutory listed habitats (e.g. ancient woodlands and grassland inventory sites). It is a valuable tool when considering the relationship of a potential development site with nearby important habitats. In addition, information from the local record holders was referred to on locally designated sites.

Functional linkage with off-Site habitats

When assessing these we consider whether the Site could be functionally linked to them, considering links such as;

- Hydrological links - is the Site upstream downstream, or could ground water issues affect it?
- Physical links - is the site in close proximity and could it be directly or indirectly affected by construction and operational effects? Conversely it may be that despite proximity major barriers separate the two.
- Recreational links - Do footpaths and roads make it likely that increased recreational pressure could be felt?
- Habitat links - Is the site part of a network of similar habitat types in the wider area? These could be joined by linear corridors or could simply be 'stepping stones of habitat of similar form or function.

Method

Phase 1 habitat survey methodology (JNCC, 2010). This involves walking the site, mapping and describing different habitats (for example: woodland, grassland, scrub). The survey method was "Extended" in that evidence of fauna and faunal habitat was also recorded (for example droppings, tracks or specialist habitat such as ponds for breeding amphibians). This modified approach to the Phase 1 survey is in accordance with the approach recommended by the Guidelines for Baseline Ecological Assessment (IEA, 1995) and Guidelines for Preliminary Ecological Appraisal (CIEEM 2012).

Faunal appraisal

This section first looks at the types of habitat found on Site or within the sphere of influence of potential development, then considers whether these could support protected, scarce or NERC Act 2006 Section 41 species (referred to collectively as 'notable species').

Records of notable species supplied from a 1-2km area of search are used to inform this appraisal.

We discuss further only notable species or groups which could be a potential constraint due to the presence of suitable habitat and their presence (or potential presence) in the wider area. We screen out and do not present accounts of notable species or groups which do not meet these criteria – in some cases it may be necessary to explain this reasoning.

Evaluation

In evaluating the site the ecologist will take into account a number of factors in combination, such as;

- the baseline presented above,
- the site's position in the local landscape,
- its current management and
- its size, rarity or threats to its integrity.

There are a number of tools available to aid this consideration, including established frameworks such as Ratcliffe Criteria or concepts such as Favourable Conservation Status. Also of help is reference to Biodiversity Action Plans in the form of the Local BAP and Section 41 of the NERC Act (2006) to determine if the site supports any Priority habitats or presents any opportunities in this respect.

The assessment of impacts considers the generic development proposals from which potential effects include:

- Vegetation and habitat removal
- Direct effects on significant faunal groups or protected species
- Effects on adjacent habitats or species such as disturbance, pollution and severance
- Operation effects on wildlife such as noise and light disturbance

Consideration is given to the Local Biodiversity Action Plan (LBAP), which for this site is the '**Barnsley Biodiversity Action Plan**'.

Species/group	Habitat
Hedgehog	Upland Oakwood
Bats	Lowland Mixed Deciduous Woodland
Water Vole	Wet Woodland
Otter	Wood Pasture and Parkland
Grey Partridge	Hedgerows
Bittern	Arable Field Margins
Kestrel	Floodplain Grazing Marsh
Little Ringed Plover	Lowland Meadows
Lapwing	Lowland Dry Acidic Grassland
Barn Owl	Lowland Heathland
Skylark	Upland Heathland
Tree Sparrow	Blanket Bog
Twite	Purple Moor Grass and Rush Pasture
Great Crested Newt	Reedbeds
Salmon	Ponds
Bullhead	Rivers
White-clawed Crayfish	Open Mosaic Habitats on Previously Developed Land
Glow Worm	
Dingy Skipper	
Bluebell	

Appendix 3 Wildlife Legislation, Policy and Guidance

This is not an exhaustive list but sets out briefly the relevance of Legislation, Policy and Guidance in terms of planning applications and this assessment.

Legislation

Council Directive 92/43/EEC on the Conservation of natural habitats and of wild fauna and flora (EC Habitats Directive).

Provides framework at an international (EU) level for the consideration / protection of European Protected Species (EPS), and habitats through the designation of sites.

Council Directive 79/409/EEC on the Conservation of wild birds (EC Birds Directive) and The Ramsar Convention on Wetlands of International Importance (1971)

Provides framework at an international (EU) level for the consideration / protection of important bird populations and the sites on which they are dependant.

The Conservation of Habitats and Species Regulations (2010)

This transposes 1 into UK law and provides the basis on which all EPS are protected and impacts on them can be licensed in the UK.

The Wildlife and Countryside Act (1981) as amended

This provides the basis on which UK species are legally protected or restricted and confers protection on Sites of Special Scientific Interest SSSIs. It contains annexes of plants and animals which are legally protected as well as those which are considered to be invasive or harmful. It provides the basis on which impacts on such species can be licensed in the UK and provides controls on work on or near SSSIs.

The Countryside and Rights of Way Act 2000 (CRoW)

Provides a statutory basis for nature conservation, strengthens the protection of SSSIs and UK protected species and requires the consideration of habitats and species listed on the UK and Local Biodiversity Action Plans (UKBAP / LBAP).

Natural Environment and Rural Communities Act 2006 (NERC)

Sets out the responsibilities of Local Authorities in conserving biodiversity. Section 41 of the Act requires the publishing of lists of habitats and species which are "of principal importance for the purpose of conserving biodiversity". At present these largely reflect those making up the UKBAP lists.

Hedgerows Regulations (1997)

Define and provide protection for Important Hedgerows.

Protection of Badgers Act (1992)

Protects badgers from persecution, this includes excavation / development in the proximity of setts.

Protected Sites

Statutory EU / International Protected Sites

Special Areas of Conservation (SACs); and Special Protection Areas (SPAs) and Ramsar Sites contain examples of some of the most important natural ecosystems in Europe. Work on or near these sites is strictly protected and Local Authorities will be expected to carry out 'Appropriate Assessment' of development in proximity of them. In this case there is often an increased burden on the developer in relation to provision of information and assessment.

Statutory UK Protected Sites

Local Nature Reserves (LNRs); National Nature Reserves (NNRs); Sites of Special Scientific Interest (SSSIs) all receive strict protection under UK legislation. Work in or in proximity to these sites would be restricted with any needing to be agreed with Natural England. Natural England now provide guidance on the nature of development which could impact on SSSIs through Impact Risk Zones.

Locally Protected Sites

Local Authorities have a variety of protected wildlife sites designated at a local or regional level. These are gradually being brought under the banner of Local Wildlife Sites (LWS) but at present a plethora of different designations exist - all subject to local policy.

Protected Species

European Protected Species

A number of species (most relevantly bats, great crested newts [GCN], and otters) receive strict protection from killing, injury and disturbance under The Conservation of Habitats and Species Regulations (2010). Protection is also conferred on the habitats on which they rely such as roost space in the case of bats and ponds and fields etc. in the case of GCN.

UK Protected Species

A number of species (including bats, GCN, water vole and white clawed crayfish) are strictly protected under The Wildlife and Countryside Act (1981) as amended, from killing, injury, disturbance and damage or destruction of their resting places etc. Certain species (such as reptiles) and some birds (such as barn owl) receive partial protection e.g. at certain times of the year or from certain activities only. All nesting bird species are protected from damage or destruction of their nests - whilst active.

Invasive species

Schedule 9 of the Wildlife and Countryside Act (1981) as amended, lists these species and makes it an offence to cause or allow their spread in the wild. This often has impacts on development and planning in relation to the presence of invasive plant species such as: himalayan balsam (*Impatiens glandulifera*), japanese knotweed (*Fallopia japonica*) and giant hogweed (*Heracleum mantegazzianum*).

Planning Policy / Guidance

The National Planning Policy Framework (NPPF)

The National Planning Policy Framework was published on 27 March 2012 replacing the majority of previous Planning Policy Guidance notes (PPGs) and Planning Policy Statements (PPSs). The most relevant paragraphs from the NPPF are set out below.

The general approach to assessing the natural environment is now embedded within the definition of what 'sustainable development' is. Paragraph 7 (P7) of the NPPF states that sustainable development should "contribute to protecting and enhancing our natural environment" and "help to improve biodiversity". There is also a need for positive inclusion of the natural environment in development design and "moving from a net loss of bio-diversity to achieving net gains for nature" (P9). P14 sets out the Framework's presumption in favour of sustainable development.

The natural environment is stated within the NPPF core principles: development should "*recognise the intrinsic character and beauty of the countryside*" and contribute to conserving and enhancing the natural environment and reducing pollution. Allocations of land for development should, "*prefer land of lesser environmental value, where consistent with other policies in this Framework*" (P17).

Section 11 of the NPPF details the approach to the natural environment. The Framework states that development should "*minimise impacts on biodiversity and provide net gains in biodiversity, where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures*" (P109).

The Framework sets out ways to minimise the impacts on biodiversity through "*promoting the preservation, restoration and re-creation of priority habitats, ecological networks and the protection and recovery of priority species populations, linked to national and local targets*" (P117).

The NPPF requires the consideration of the impacts of development on the natural environment. The Framework also encourages "*opportunities to incorporate biodiversity in and around developments*" (P118). Importantly this paragraph (P118) sets out the hierarchy of avoiding, mitigating and compensating harm from development - plans should ensure that they can demonstrate engagement with this hierarchy when required.

Biodiversity 2020: A Strategy for England's Wildlife and Ecosystem Services.

This strategy builds on the Natural Environment White Paper (June 2011) - The Natural Choice: securing the value of nature. Setting out the current UK Government's approach to nature conservation. It promotes a more coherent and inclusive approach to conservation and the valuing in economic and social terms of economic resources.

The strategy promotes initiatives such as Biodiversity Offsetting, Nature Improvement Areas and a focus on well-connected natural networks and introduces the concept of securing a 'no net loss' situation with regard to UKBAP / Section 41 habitats and species.

ODPM circular 06/05 (2005) Biodiversity and Geological Conservation - Statutory Obligations and Their Impact Within the Planning System

Provides guidance to Local Authorities on their obligations to biodiversity – particularly in relation to assessing planning applications and ensuring the adequacy of information.

BSI (2013) British Standards Institute BS 42020:2013 Biodiversity — Code of Practice for Planning and Development.

Provides a standard for the biodiversity assessment and development industries and decision makers such as Local Planning Authorities to work to.